

Spartan Daily

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Faculty fuming over executives' pay raise

By Edwin Acevedo
Daily staff writer

California State University executives got raises from 15 percent to 43 percent at the start of the year. Faculty members only got a 4.8 percent raise.

And the faculty is mad. Faculty leaders also are upset that CSU Trustees approved the raises while in closed session, said Joan Edelstein, president of the SJSU chapter of the California Faculty Association.

The salary of the 20 CSU presidents, including SJSU President Gail Fullerton, will jump to \$130,000. Salaries of presidents vary, but are around the \$112,851 Fullerton made last year. Fullerton was unavailable for comment.

The largest increase went to CSU Chancellor W. Ann Reynolds, who went from \$136,248 to \$195,000, about a 43 percent increase.

The pay range for a lecturer at SJSU after the 4.8 percent increase, is between \$23,417 to \$58,452, according to the payroll department.

Terry Francke, legal counsel for the California Newspaper Publishers Association, said that the Bagley-Keene Act,



Gail Fullerton
... gets salary increase

a state open meetings law that regulates CSU trustees meetings, might have been violated. However, he stressed that he did not have first-hand information on the specifics of the meeting.

"What is surprising, to me at any rate, is that a process like this could be going on without the knowledge of the faculty association," Francke said.

"It could be explained by (the faculty

association) not being on the ball and not being on top of things. It also could be explained because of secrecy (by the board) deliberately keeping everyone unaware of what is going on. One scenario is completely innocent. The other has problems."

According to section 11126 of the Bagley-Keene Act, however, governing bodies of state boards may hold closed sessions with its representatives at any time which relate to "salaries, salary schedules, or compensation paid in the form of fringe benefits."

Francke could not be reached for further comment to address section 11126.

The raises were approved Oct. 31 and Nov. 1 at the CSU system headquarters in Long Beach.

The board approved the increases to "bring equity to the salary structure of the administrators," said Anne Ambrose, spokeswoman for the CSU.

The minutes of the closed session meeting were not published with the agenda of the last meeting, held Jan. 9 and 10. The minutes of closed meetings are usually published with the agenda of the following meeting, Ambrose said.

But approving the raises during a closed meeting is "unacceptable" and "doesn't meet the ethical and moral standards" of the board, Edelstein said.

"I'm already getting letters from members of the faculty to the Board of Trustees expressing their dismay," Edelstein said. "The problem is, if CFA takes action and the raises are rescinded, the Board could still (hold a) public meeting and get their raises."

The last time a study was done to determine administrative salaries was in 1984, and the board approved this wage upgrade to make top CSU jobs more competitive with those of other institutions, Ambrose said.

Other CSU executives receiving raises are Herbert Carter, executive vice chancellor, whose salary increased from \$118,974 to \$150,000, and five other vice chancellors, with salary increases from \$117,000 to \$145,000.

The CFA negotiates its salaries with the CSU board, while the executives, since they are not represented by a union, study what other executives make to determine salary increases.

"Periodically," Ambrose said, "the

'I'm already getting letters from members of the faculty to the Board of Trustees expressing their dismay. The problem is, if CFA takes action and the raises are rescinded, the Board could still (hold a) public meeting and get their raises.'

—Joan Edelstein,
SJSU CFA chapter president

chancellor's office examines the current salaries and the staff people report to the chancellor. It hadn't been done in five years."

Bev Waller, who represents the technicians and organized the support staff last year after merit salaries weren't paid, called the raises "obscene."

"It's odd that they could get such hefty raises and they couldn't give merit salaries to the support staff last year,"

she said. "It's interesting," said journalism professor James Noah. "When I first came here in 1964, the deans made five percent more than the profs, the vice president made five percent more than the deans and the president made five percent more than the vice president. There was a 15 percent difference between the deans and the president. It's totally different now."

Controversial bike regulations in effect

By Jill McLaughlin
Daily staff writer

Pedaling through campus while weaving in and out of the way of fellow students is no longer an exercise SJSU students and staff can legally enjoy.

Riding a bicycle, unicycle, skateboard or rollerskating through campus is now officially illegal. Anyone caught riding through campus will be pulled over and issued a citation that could cost as much as \$20.

The warning signs are up and the bike racks are in place, signifying the beginning of the enforcement of restrictions passed in the fall, according to Richard A. Staley, Public Safety Information Officer for the University Police Department.

Although the signs have been up for more than a week, no one has yet been cited. However, Staley said he does expect that when classes begin, people will be cited.

A president's directive, passed late in September 1989, restricted the riding of bicycles, unicycles, skateboards and rollerskates on campus grounds. The policy will be enforced 24 hours a day, seven days a week.

The new restrictions could not be enforced until sufficient warning signs were posted around the campus and until bike racks were moved, the policy stated.

Bicycles and unicycles are permitted on streets surrounding the campus and on Seventh and Ninth streets within the campus perimeter. Skateboards and rollerskates cannot be ridden anywhere on or around campus.

Also, any bicycle found illegally parked on a tree or post and not in the official bike racks will be impounded and the owner will have to pay a \$5 fee to recover the bike.

Illegally parked "bicycles present a hazard to anybody walking on campus at night, for example," Staley said.

The UPD did a survey, according to Staley, and found that the racks the university had were not full. However, he said if it becomes apparent to the department that more racks and bike lockers are needed, it will buy more.

The campus restrictions on skateboards and rollerskates are only an extension of the measures that the City of San Jose has already adopted, Staley said.

Walking on campus with any of the vehicles is allowed, Staley said, adding, "You're not going to be busted with a skateboard under your arm."

According to the restriction policy, the main purpose is to reduce the risk of injury to pedestrians because of the potential dangers that bicycles and skateboards pose. More than one collision occurred last semester involving a pedestrian and a bicycle rider.

"The University still encourages bicycle riding as an alternative means of transportation," Staley said, adding that a great deal of access exists for riders around the campus.

Opposition to the new restrictions still exists within the student body. Last December, student Yurik Riegle presented the Associated Students with a petition signed by 2,100 students asking for changes in the policy.

In an interview last December, Riegle said he disagreed with the fact that bikes were restricted 24 hours a day instead of just the peak hours. He also was asking the A.S. to cut all bike-parking restrictions from the policy and to add a "reckless driving clause," he said.

Riegle was offered a seat on a sub-committee to discuss the changes.

Staley has not heard of any changes being made at this point, adding that if changes in the policy do occur, the UPD will enforce them. But, for now, the policy stands and the officers will be handing out citations.



SJSU Traffic and Parking employees Doug Simmons, left, and Rick Rickard, right, put the finishing touches on the new bike and skateboard signs on campus a week before school opened.

Mary Morello — Daily staff photographer

Special bus line extended

By Mike de Givie
Daily staff writer

Bus service between Santa Cruz County and downtown San Jose, which began after the Oct. 17 earthquake, will continue at least through the end of March and may become permanent.

The Santa Clara County Board of Supervisors voted unanimously Jan. 16 to continue the county subsidized service over Highway 17 that has carried about 7,000 commuters over the hill since Nov. 25. Representatives from Santa Cruz Metro present at the meeting supported the plan.

The service, used last semester by SJSU students and instructors commuting over Highway 17, was to end Jan. 15 after the state of emergency was officially over.

But several complaints about the service of Peerless Stages Inc., which claims exclusive rights to the route, prompted supervisors to continue the bus routes and to look for an alternative.

"Our intentions are to keep it permanent," said Rod Diridon, chair of the Santa Clara County Transit District and a member of the board of supervisors. Only a decrease in ridership or legal action by Peerless would end the county service, he added.

Alexis Gaeta, manager of Peerless Stages Inc. in San Jose, said that the company is still negotiating with the county to settle the situation, but she would not say whether the company intended to sue. Peerless has had exclusive rights to the line for 70 years.

But Supervisor Zoe Lofgren disagrees that the bus company's claim to the route is valid.

"They claim they do have exclusive rights (but) we don't believe they do," she said.

Diridon said the two counties intend to run the bus routes themselves, but

See BUS, page 7

Church near campus provides needed space

By Aldo Maragoni
Daily staff writer

The only piece of land in the SJSU campus area that is not owned by the university should belong to the school by early February.

"We are still waiting for the state controller's office and the State Office of Real Estate Services to make the purchase for us," said Jim Hill, SJSU purchasing director.

"By Feb. 2 the building will belong to the state of California," Hill said.

Because SJSU can't buy property on its own, the state will buy the quarter-acre lot at 10th and San Fernando Streets and then transfer the land over to the university.

The California State University has made \$1.1 million available for SJSU to go toward the purchase of the lot, according to Hill. Because the university has already spent \$70,000 for the removal of asbestos in the building, that

amount will be subtracted from the \$1.1 million.

The land is currently owned by Spartan Shops Inc. Spartan Shops bought the lot last October, after a judge ordered the land to be sold by Nov. 9 or be turned over to creditors.

At the time of the ruling, the university did not have enough funds to make the purchase. Therefore, the university asked Spartan Shops to buy it, using some \$1.1 million of their (Spartan Shops) reserve funds. Spartan Shops has been holding the lot for the university until state funds were made available. At that time, Spartan Shops would sell the land to the university.

"Any day now we are expecting the controller's office to present a check to Spartan Shops for us," said Hill.

Early plans had the University Police Department moving into the new building. See Church, page 7



Shannon Slamon — Daily staff photographer

The university has already spent \$70,000 for the removal of asbestos in the church on 10th and San Fernando Street by SJSU.

SJSU football player charged with theft

Linebacker arrested; Case to be reviewed

By Harry Mok
Daily staff writer

Charges of petty theft and possession of stolen property against an SJSU football player have been submitted by the University Police Department to the Santa Clara District Attorney for review.

Everett Lampkins, an All-Big West Conference linebacker, was arrested Dec. 11 in front of the Student Union Recreation and Events Center with a bike that was reported stolen. Arrested with Lampkins was Karl K. Price, a non-student and former teammate of Lampkins at Bakersfield Junior College.

"It's been submitted to the district attorney's office and it's up to them whether to prosecute or not," said Richard Staley, public safety information of-

ficer. The district attorney's office has not reviewed the case yet and no decision has been made on whether to pursue the case, according to Deputy District Attorney Mike Adams.

The arrests resulted from a report by two Allen Hall residents that their bikes had been stolen on Dec. 11. The students saw two bikes that resembled theirs chained to a third bike in front of the Rec Center later that day.

They reported it to UPD and officers staked out the bikes and made the arrests when the suspects unchained the bikes.

Robert A. Blackmon, another member of the of the SJSU football team, was detained but released. The bike he was on was not reported stolen.

Lampkins and Price were booked into Santa Clara County Jail and released on their own recognizance, according to jail records.

Spartan Daily

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SPARTAN

FORUM

Editorials

Trustee board too generous

This year's budget is going to be tight for the California State University system, Gov. Deukmejian told CSU administrators, but apparently they didn't get the message.

During a closed session of the CSU Board of Trustees more than two months ago, administrators voted themselves hefty pay raises, ranging from 15 percent to 43 percent. However, CSU executives agreed to only a 4.8 percent pay increase for faculty members during their contract negotiations finalized last December.

The California Faculty Association, as well as other faculty and staff unions, must negotiate with the CSU to receive a pay increase.

The administrators answer only to themselves, which is evident by their decision to give themselves more money, to the tune of half a million dollars.

The CSU rationalized their pay increase by stating that they were necessary to stay competitive with other institutions.

In a lean budget year, a 4.8 percent increase is justifiable. A 43 percent increase is preposterous. CSU faculty members should not stand for it.

They were duped into believing they were receiving a fair increase while the executives had approved salary increases that were at least three times as much as those for faculty members.

Because the decision to increase administrators' salaries was made behind closed doors, CFA members were given no opportunity to protest. Minutes were also not available at the following meeting held in January.

Whether this was an intentional move on the part of CSU administrators to keep the meeting or the pay increases a secret from people can't be known. But it is unacceptable that minutes were not available for the next meeting, held three months later.

In reports concerning the pay raises, Anne Ambrose, a spokeswoman for the CSU, said it allowed the increases to make the jobs more competitive with those of "other institutions." Nowhere in the reports does it state what these other institutions are.

Is the CSU comparing itself to corporations or to private universities? What is a comparable job to CSU administrators?

If administrators are comparing themselves to private institutions, it's ridiculous. As state institutions, CSU campuses have to rely on the state budget when they are in need of monies. At private campuses such schools rely on private grants and donations — not normally given to CSU campuses. And if they are, the grants are nowhere near the same amount.

CSU Chancellor W. Ann Reynolds commented at the board's last meeting that the budget Gov. Deukmejian submitted for operating costs of the CSU was "disappointing." In addition, Reynolds also said that it was going to be a "very lean budget year for the CSU."

CSU administrators obviously didn't feel obligated to hold off on such extravagant pay increases and concentrate on helping the 20 campuses in the system.

Other Viewpoints

The San Luis Obispo County Telegram-Tribune on the McMartin case

The whole question of child abuse — an enormous problem in this country — has been poisoned and warped out of focus by a verdict that inevitably will hover over future cases.

As a member of the jury said: "Everybody lost something."

The central problem, it seems to us, lies with the prosecution. Who else is there to blame when members of the jury say they believe that, yes, children were abused at the McMartin preschool, but that they could not return a single guilty verdict on the basis of the evidence put before them?

If children were not abused by the two defendants, Peggy McMartin Buckey and her son, Ray, they have been abused by the California judicial system.

There is something very wrong with a system that allows a preliminary hearing to last a year and a half; that allows a trial to drag on for close to three years; that keeps a defendant in jail for five years; that allows a child to be on the witness stand for 16 days.

Lawyers, judges, legislators and the public at large all should ask that reforms be considered.

Nor is the end in sight. Peggy McMartin has announced she plans to sue. And while 52 counts resulted in a not guilty verdict by the jury, 13 others produced a deadlock, meaning they could, if the prosecution chooses, be the basis for still another trial.

Among other things, there is a serious question as to how large a role psychologists would be permitted to play in a case involving children. Several of the jurors charged that the testimony of the children was made less credible because psychologists were allowed to, in effect, coach them.

The only heroes are the members of the jury. In post-trial interviews, they showed themselves to be honest, objective and dedicated.

The Press-Enterprise (of Riverside County) on the McMartin trial

All that and the prosecutors did not have one guilty verdict to show for it. Not one.

This wasn't a case; it was a statistical abstract.

Sixty-five counts. Not guilty on 52. Mistrial on 13. Six years, five months since the investigation began. Seven original defendants, reduced to two. Seventeen months in preliminary hearings. Nearly a three-year trial. One-hundred and twenty-four witnesses.



ART BUCHWALD'S 'COMING TO HOLLYWOOD'

Letters to the Editor

Philosophy enriches life

Editor,

One of the most memorable classes at SJSU is Philosophy 104, philosophy of Asia. This class studies the fundamental ideas of Taoism, Buddhism, Confucianism, Hinduism, and Zen.

Studying Asian philosophy has opened a new world for me. I have learned to appreciate life more fully for through Philosophy 104 you can learn to apply wisdom to one's life. I have learned the richness of the Hindu mind through the Baghavad Gita. Through Buddhism, I know how to reach enlightenment. And with Confucianism and Taoism, I have learned about humanism and the coexistence with nature. Philosophy 104 has given me a new perspective where I now have further meaning and balance in my personal life.

Furthermore, I feel I have gained another practical aspect in taking this Philosophy 104 class. Now I can understand and interact with the Asian students more effectively for I have gained knowledge of the difference between Eastern and Western philosophy. Also, this class would be extremely helpful even for students thinking of working with companies having business activities in Asia.

Dr. Phan, who teaches the class, is an excellent instructor. He has a gift of interpreting and communicating Asian philosophy to you in an entertaining but intellectual presentations. I highly recommend this class to students who want to gain enlightened awareness of your existence in this universe through Asian philosophy.

Alice Matsushima
Graduate student
Liberal Studies

Had they done a thorough investigation of the charges, some of the hype could have been avoided. However, they were not skeptical enough to consider the fallacy of logic in a two-and-a-half year old entering a cemetery and digging up a casket. The prosecution should have considered the source of the original complaint: an alcoholic woman with a history of mental illness. In addition to Buckley, she also claimed that four other men, including the child's father and a Marine (who allegedly defiled the family dog) had molested her daughter.

The award for how-not-to-conduct-an-investigation should go to the Manhattan Beach Police Dept. for mailing out 200 "confidential" letters asking parents to determine if their children had been molested at McMartin. Runner-up in this category goes to the Children's International Institute interviewer who asked leading questions from the victims and became romantically involved with the television journalist who broke the story.

Most importantly — six years, \$15 million, and dozens of broken lives later, the public has learned that the media can punish but not convict a suspect. Innocent until proven guilty? Not likely.

Steven Musil
Senior
Journalism

Letters to the Editor

The Spartan Daily wants to hear from you. The Daily accepts letters-to-the-editor from students, faculty, and the campus community regarding topics of public interest. Letters should include the author's name, major, grade level, and telephone number (not for publication). Letters may be delivered to the Daily newsroom in Walquist Library North 104 or at the Student Union Information Desk.

Trial teaches everyone lessons

Editor,

Without assuming Ray Buckley's absolute innocence in the McMartin pre-school molestation trial, there are many lessons to be learned by society. The first lesson is directed to the journalists who covered the story from the beginning.



Other Viewpoints

Oakland Tribune
Family planning bill

By an overwhelming 95-13 vote, the Legislature has let Gov. Deukmejian know that the majority of Californians believe family planning is a state-supported service worth keeping. AB-99, the bill that would restore \$20 million in much-needed funding to the state Office of Family Planning deserves the governor's signature.

Researchers have concluded that every \$1 spent on family planning saves the state more than \$12 in related services. If the recipient is a Medi-Cal beneficiary, the savings jump to \$17.

Deukmejian should show concern for these poor women, as well as the poor men and children who also benefit from the low-cost medical services the clinics provide. The governor should rethink his former criticism of the clinics and sign AB99 without delay.

The San Francisco Chronicle
County clout

The recent appeals court ruling that the state illegally forced counties to pick up as much as \$500 million a year in health costs for the indigent has heartened local health officials — as well it might.

It is also a blow on behalf of county autonomy. If the Legislature enacts, or changes, programs in such a way as to increase county costs, then it should send money along with the new law. There is a law to this effect, but costs can be veiled and indirect.

The state is, of course, in a bind on current budget funds, and this case has far to go before final resolution. But we approve of the basic thrust behind the decision. The counties should have a say when bigger bills or the need for increased services are passed along to them from on high in Sacramento.

The Vacaville Reporter
Cable television problems

Across Solano County and across the nation, the critics of cable television franchises sing much the same song: rates continue to increase, service and quality continue to decline.

There may be more choices than ever on your cable system, but there are more questions than ever about cable television and what some call its monopoly.

Cable television may need local competition. At least that is a question posed recently by the Federal Communications Commission, which decided to study possible changes in rules that allow just one cable system in most communities.

The commission, in a 4-0 vote, said the study of competition in the cable industry was required by "changed circumstances in the video marketplace" since Congress passed the 1984 Cable Act.

Today's cable systems, rather than merely retransmitting signals of local stations, offer a wide range of programming in their lowest-cost "basic" tier of service. And it is no secret that cable companies are charging more for this service.

The National Cable Television Association said it looked forward to the new inquiry. The association said it expected the study "will reintroduce a note of reality into the debate over cable rates."

The Union of Grass Valley
Cactus

Extinction of a species can come in many ways — loss of habitat, disease, weather, poaching. Poaching, which is usually associated with animals, is being blamed for the dwindling numbers of some species of cactus in the southwest, including the majestic saguaro.

The saguaro cactus is probably what most people think of when the word "cactus" is used. It has been seen in countless cowboy movies. It also decorates more than one Mexican restaurant. The large cactus bristles with arms and spines.

Saguaro used to litter the southwestern landscape like rocks. But their close identification with the myths of the region and their stark beauty have made them popular landscape plants. Because prime specimens can be sold for \$1,000, government officials are finding it increasingly hard to keep up with poachers.

Poachers haul truckloads of cactus out of the desert, and officials say the thieves can't be arrested unless caught in the act of theft.

One ecologist warned that the saguaro could be extinct in 40 years; an Arizona official predicted a large plant could become difficult to find in five or 10 years. Other cactus species face extinction even sooner. People are causing the problem; only people can solve it.

The Fresno Bee
The Wine Commission

In 1987, the state's vintners voted to set up a wine commission to pay for wine promotion and research programs. Now, nine small premium wine producers want more democracy in the way the commission operates. They have a strong case.

The group ... contends the commission, dominated by three or four large wineries, levies assessment rates that discriminate against premium vintners.

The rate is 1.1 percent of the value of each winery's crush, not its volume. Since premium wine producers buy higher-priced grapes than do large vintners that make cheaper wines, the assessment for the premium producers comes to \$15 a ton, compared with \$2.40 a ton for the large firms.

It's obvious that the commission has rigged the rules to make it a puppet of the large firms. Voting for commission members is limited to wineries crushing at least 100 tons a year — about 270 wineries out of 805 in the state. For each \$10,000 assessment it pays, a winery receives an additional vote.

On Jan. 29, the U.S. District Court in Sacramento will hear motions in a suit by the dissidents to obtain the mailing list of those who vote in commission elections and information on what their tonnage is.

The commission says the information is confidential. It shouldn't be. Fifteen or 20 years ago, when there were only a few wineries, the industry could operate behind closed doors. Now, there are hundreds of firms. They want access and a voice in what happens in the industry.

In a democratic society, they ought to have it.

Columns

Signed columns are written by members of the Spartan Daily staff. They express the opinion of the writer only and not the viewpoints of the newspaper staff or department of journalism and mass communications.

SpartaGuide

SpartaGuide is a daily calendar available to SJSU students, faculty and staff organizations at no charge. Please use this form. No phoned-in items will be accepted.

Forms are available in the Daily newsroom, Wahlquist Library North Room 104, and at the Information Center of the Student Union (Letters to the editor can also be submitted at the Information Center.)

The Daily's staff members will attempt to enter each item at least two days before the date of the event, in addition to the day of the event. Limited space may force reducing the number of insertions.

Please fill out only one form for each event. Daily staff members will monitor the SpartaGuide boxes daily. Forms may be picked up at the Spartan Daily office, Wahlquist Library North, Room 104, or at the Student Union Information Center. No phoned-in items will be accepted. The deadline is noon. The Daily will attempt to enter each item a day before the event, as well as the day of the event.

TODAY

Alcoholics Anonymous: Meeting, noon, Campus Christian Center (10th and San Carlos Streets).

African-American Students in Mass Communications: Forward Magazine is here, 11:30 a.m.-1 p.m., in front of Student Union. Call 723-3376.

Gay/Lesbian Bisexual Alliance: Welcome Back meeting, 4:30 p.m.-6:30 p.m., S.U. Guadalupe Room. Call 236-2002.

African Stepshow Council: Stepshow '90 is coming. Production meeting, 9 p.m., African-American Studies Building-DD. Call 279-6712.

FRIDAY

San Jose State Folk Dance Club: International folk dance class, 8 p.m.-9 p.m. (teaching); 9 p.m.-10 p.m., (requests). Women's Gym, Spartan CVComplex, Room 89. Call 293-1302 or 287-6369.

SATURDAY

SJSU Theatre Arts-Dance Department: Oberlin Dance Company performance, 8 p.m., University Theatre (5th and San Fernando). Tickets: \$9 (students); \$10 (general public).

TUESDAY

BASE (Black Alliance of Students and Engineers): First General Body Meeting, 6 p.m., Engineering Building (Room 491). Call 924-3830.

Inter-Organization Council: First meeting, 4:30 p.m., A.S. Council Chambers. Call 924-6240.

Population in state grows

SACRAMENTO (AP) — California is home to more than 29.1 million people, about 11.7 percent of the entire U.S. population, as the state's growth rate reached a 25-year peak, the state reported.

As of July 1, 1989, the most recent date for which figures are available, California had 29,063,000 inhabitants, 2.6 percent more than the year before and the greatest rate of increase since 1963-64, the state Finance Department said Monday.

The figure is 11.1 million more than New York, the nation's second-most populous state.

As of July 1, California's population had swelled by 23 percent since the beginning of the decade, climbing from 23,668,049.

The start-of-the-decade figure is the actual count of the 1980 census. All of the later figures are estimates. The next official census will be this coming April 1.

The department also said that net migration for 1988-89 was the highest since 1942-43, when the state lured hundreds of thousands of people to military bases or to toil in World War II industries.



Tom McEnery

... proposes affordable housing

McEnery calls for affordable housing

By Adam Steinhauser
Daily staff writer

San Jose Mayor Tom McEnery proposed the creation of a \$50 million affordable housing fund Wednesday in his annual State of the City Address at the San Jose Convention Center.

"We must tackle the affordable housing problem with both wisdom and creativity," McEnery said. "As each year passes, our housing dollars buy less and less. We must provide people with homes — We must do it today."

The fund would be created by a bond issue, McEnery said.

McEnery elaborated at a press conference following the speech on how the affordable housing fund might be used: "It would be used for all of the low and

'We must provide people with homes — We must do it today.'

— Tom McEnery,
Mayor of San Jose

moderate income programs we now provide and also for an area we haven't done much in — and that's land-banking.

"It's very important that we use this money right now instead of letting the price of housing and the cost of land continue to accelerate."

McEnery said that a council would be

commissioned to search for lands to buy with the fund.

In his speech, the mayor also:

- Announced the implementation of a "drug action plan" and other programs for San Jose's youth.

- Promoted a plan to renovate the Fox Theatre on First Street and the Studio Theatre to house the San Jose Repertory Theatre.

- Announced McEnery's support of a ballot measure to create a three-term limit for city councilmembers and another that would create a parcel tax of no more than \$25 to fund the preservation of hillsides and open spaces in San Jose.

- Announced that the city's financial reserves will have grown from \$2 mil-

lion in 1983 to more than \$20 million by the end of this year.

- And proposed that \$3.5 million be set aside to fund a Mexican cultural center and garden.

The speech was the last State of the City Address that McEnery will deliver. As the mayor of San Jose is limited to two terms, McEnery will leave office after this year.

McEnery said that he has no plans to run for higher office and that he plans to stay involved in San Jose community affairs as a private citizen.

"I really don't have any," McEnery answered when asked if he had any regrets after his two terms as mayor. "I think I'd do it just about the same."

SJSU Today

English scholarships offered to creative writing and poetry students

Budding writers and poets... take note.

This semester, the SJSU English Department will be offering scholarships to outstanding students in creative writing and poetry.

Students will have a chance to win one of three scholarships being offered by the department.

The Marjorie Folendoff Award, named for the Los Gatos resident who had a strong interest in writing, has been awarded every year for nearly five

years, according to John Pollock, chairman of the English Department Scholarship Committee. The scholarship was established by Folendoff's husband, who has frequently donated money to SJSU, according to Pollock, and is worth \$400.

The Anne Lillis Award, established nearly seven years ago by the family of the late SJSU English student, is worth \$550.

A scholarship of \$100, presented in conjunction with the Academy of

American Poets, will also be offered.

All three scholarships are open to all currently enrolled students, graduate or undergraduate, who have completed at least 24 units of course work at SJSU.

Applicants are encouraged to submit their applications, available in the English office (Faculty Offices 104), along with a sample of their writing. Both poetry and prose will be accepted, according to Pollock.

The deadline to submit applications is March 22, 1990. Winners will be announced in late spring.

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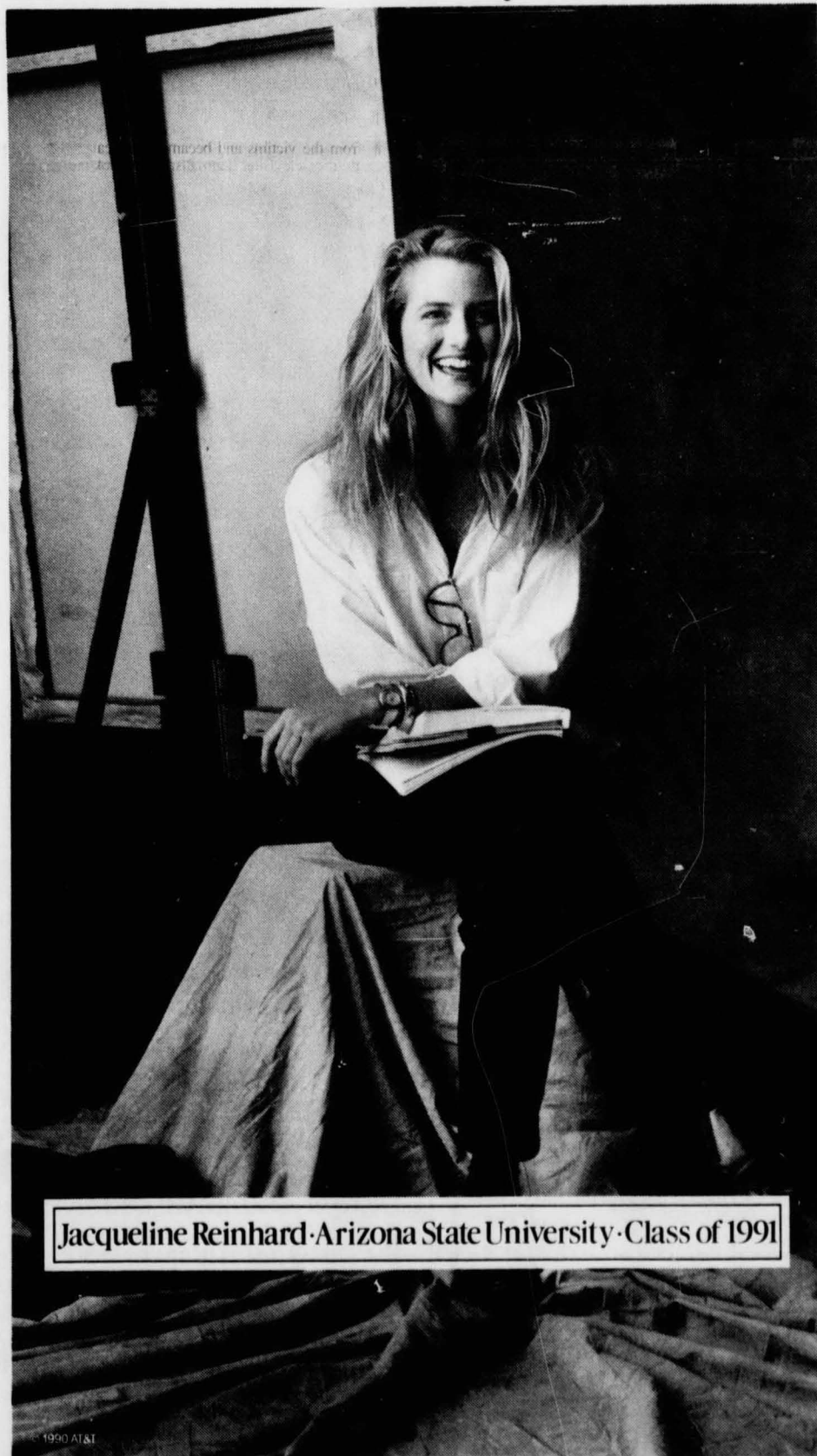
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Shannon Slamon — Daily staff photographer

Troy Batiste drives to the basket during the first half of the Spartans' 65-57 victory over Idaho State. Batiste is scoring 13.9 points per game.

Spartans face New Mexico State tonight

By Robert Mallard
Daily staff writer

Tonight's match up between the Spartan basketball team and the Aggies of New Mexico State features two programs looking for respect.

But on different levels.

SJSU has been recuperating from last season's 5-23 mark, their worst since 1971 when the team went 2-24. The program also reached an all-time low and gained national recognition during the Jan. 18 ten player walk-out.

Despite New Mexico State's 21-11 record in 1988-89, the program's first 20-win season in 10 years, the Aggies were denied an NCAA tournament bid.

"I thought we filled the criteria very well," Aggie Head Coach Neil McCarthy said during the Big West Media day in November.

"We had one of the toughest preseason schedules last season," he added.

The Spartans are currently 5-10 overall and 2-4 in the Big West. New Mexico State is 15-2 and 6-1 in the Big West, just a half game behind UNLV.

The Aggies defeated the Runnin' Rebels 83-82 on Jan. 8.

The Spartans compiled a 4-5 record during winter break.

SJSU began the recess on a high note with a 75-66 victory over cross-town rival Santa Clara University. Spartan junior guard Troy Batiste scored a team and career high 27 points in the win.

Batiste is the team's leading scorer with a 13.9 average per game. He has scored in double figures seven times this season.

He was selected Big West Conference "Player-of-the-Week" after his performances against SCU and Texas Christian University. He scored 17 points including the teams final nine, in SJSU's 70-69 victory over TCU. The win broke the team's 21-game losing streak.

Batiste scored 26 points in the team's 78-71 loss last Saturday against the University of Pacific.

The Spartans have already equaled their win total of last season with a team consisting of 15 new members, including three freshmen starters.

Included in these victories was a 66-60 upset of Cal State Fullerton. The Titans were picked to finish fourth in several preseason Big West polls.

"We surpassed all expectations of everyone, including ourselves," said Kenne Young, one of the team's three seniors.

On Jan. 6 the Spartans hosted their ninth ranked UNLV. Although SJSU lost 100-80, the loss proved that the Spartans would not be intimidated by and could play well against a highly ranked team, said Young.

One of the team's new goals is not to play in the first round of the Big West Tournament, which consists of the conference's bottom four teams, said Young.

SJSU was picked to finish last in both the coaches' and writers' preseason polls. The Spartans are currently in seventh place.

"I had none early," said SJSU basketball coach Stan Morrison, when referring to his personal expectations. "I hadn't seen them play."

"I expect more now. We need to turn up a notch and have 40 minutes of maximum level intensity."

The team suffered a letdown before Saturday's 78-71 loss to UOP, Young

said.

The game's referees were not informed of the game's earlier starting time, resulting in a delayed tipoff.

"It hurt us," Young said when referring to the wait. "We were ready to play and then had to wait for the referee. All our energy went down. We had to reinitiate it again."

Morrison pointed out that the Spartans would need a greater contribution from their post players.

"We're not very good perimeter shooters," Morrison said.

Women Spartans stroke into '90s

Campus swim team hopes to begin new decade in classic style

By Randy Robertson
Daily staff writer

The Spartan women's swim team has found success in what was supposed to be a rebuilding year.

With a new coach and a new facility, SJSU has hopes of building a powerhouse swimming program. But success does not come overnight.

However, over the winter break, the team swam to victories over UC Santa Cruz and Sacramento State to improve their record to 3-3. They leave today for the Rebel Classic in Las Vegas.

"I'm really proud of the girls," SJSU swim coach Vaune Kadlubek said. "They have good work ethics. They are a joy to coach."

The Rebel Classic is an invitational meet with over 500 collegiate swimmers, according to Kadlubek. SJSU will send 13 swimmers to the meet.

Leading the way for the Spartans should be senior Katie Brennan. She won all three of her events against UC Santa Cruz and Sacramento State, and Kadlubek expects her to continue swimming well.

"She's one of our leading swimmers," Kadlubek said.

Brennan specializes in the long-distance events. She won the 1000-meter freestyle, the 500-free, and the 400-Individual Medley in the last two meets.

While Brennan swims for distance, junior Nicole Hafenger prefers the short, quick races. Over the break she won in the 50-meter freestyle, the 100-

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meter freestyle, and the 100-meter butterfly. Sophomore Tina Spitz, a San Jose native, has also swam at a high level, Kadlubek said.

Also expected to compete in the Rebel Classic are breaststrokers Carla Iwata and Maria Bond. Iwata also swims the middle distance freestyle events.

"I'm really pumped to compete," said Iwata. "I'm bursting with energy now."

After their Feb. 3 and Feb. 10 meets against Reno and Fresno St. respectively, the Spartans conclude the season Feb. 22-24 at the Big West Championships. The meet, held at Long Beach State, features the conference's top swimmers. "It's a good experience for the future of the team," said Kadlubek. "It's a very competitive conference."

Though SJSU may not win the meet, the experience should help in the program's rebuilding process.

Another key to the rebuilding is the new swimming complex. Kadlubek said the pool is one of the largest on the west coast. That, she said, should help attract the top swimmers to come to SJSU.

"It (the pool) is real positive," Kad-

lubek said. "It is a fantastic facility and a great recruiting tool."

The players are really happy with Kadlubek. In her first year with the team, she has the team believing in the rebuilding process.

Kadlubek was an assistant coach for UNLV for five years. She also earned four varsity letters while swimming for

the Rebels.

"She's the best coach I've ever had," said Iwata, who has been swimming for 12 years.

"She makes us see the positive in ourselves and makes us work harder," said Bond.

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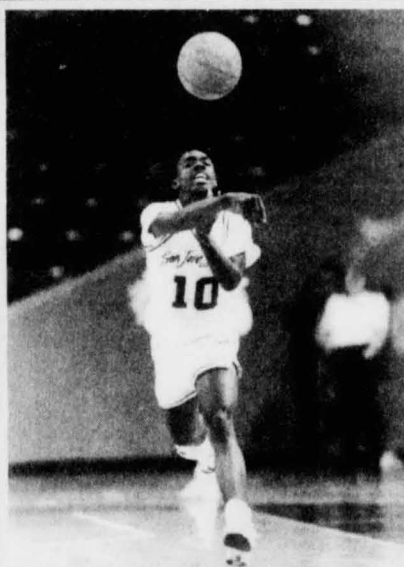
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Daily File Photo

Womens' gymnastics

Spartans optimistic about season

By Mike Moeller
Daily staff writer

With the addition of four new members, plus the return of three out the top four starters, the women's gymnastics team is looking for this season to be their best. The women's team began their season by placing second in their first meet in January, defeating the University of California at Davis but losing to California Polytechnic University at San Luis Obispo.

"The first meet was very rough on the members, but now they have the next two weeks off to rest and practice up for the rest of the season," said Head Coach Jackie Walker.

"It also gave the members a chance to see if their routines are what they want to do for the rest of the season," Walker said.

"We have a lot of potential this season. My goal is complete 24 out of 24 events successfully in each meet. If we can do that without any major errors, then the girls have given it their best," she said.

According to Walker, freshman Jodi Solod and freshman Katy Burke, will give the Spartans added depth and will push the returning starters to improve.

"This was the first time that we had a chance to see Katy compete in a real meet, and she really showed us her ability by being consistent in all of her events," said Walker.

Two of the returning starters, Kriss Miller and Cheryl Sanwo, qualified for the NCAA Regional tournament last season and will give the team the leadership that is needed according to Walker.

Miller set several school records with her performance last season on the balance beam, the uneven bars, and the vault.

This season however, record scores may be a little harder to achieve than in the past. According to Walker, every four years, the scoring for events is updated and changed. This happens a year after the Olympics are over.

"The criteria has been changed this season. The scoring has changed in regards to the points given out for difficult routines. But I don't think that this will stop us from setting a few records this season," said Walker.

During Winter break, the team only had ten days off before they were back and practicing for the upcoming season. Walker says that she can see a lot of improvement in the team members from last season.

"Both Marcee McClelland and Nikki Hawkins returned this season in better shape than ever. A lot of the girls worked out even during their time off. I think that this team has quite a bit potential to finish better than ever," stated Walker.

Krah blames awful defense for Spartans' recent loss

By Randy Robertson
Daily staff writer

Despite scoring their second-highest point total this season, the SJSU women's basketball team lost to San Diego State 84-74 Saturday Jan. 20. SJSU entered the game eighth in the Big West.

The Spartans (3-13, 1-6) lost the game because of their poor defense according to head coach Tina Krah.

"We played probably our worst defensive game of the year," Krah said. "I think anyone can shoot a high percentage when we leave things so wide open."

The Aztecs did just that.

They shot a remarkable 69 percent from the field. Julie Evans led the way for the Aztecs with 31 points, including 13 of 17 from the field.

Evans, who came into the game averaging 19.6 points per game, scored mostly on outside jump shots. San Diego State ran plays designed to create shots for Evans, and the Spartans were never able to find the right defense to stop her.

"The whole team was kind of out of sync defensively," said Spartan senior forward Lora Alexander.

Alexander was one of the bright spots for SJSU. She scored 25 points in the game, well above her 16-point average. She did most of her scoring inside on layups and short jumpers. When she didn't score, she was often fouled. Alexander made 11 out of 12 free throw attempts during the game.

"She's been getting better," said Krah. "She's a good player, but people are all double-teaming her and the rest have to pick up the slack."

Some of the offensive burden was taken by sophomore forward Kim Skaggs. She helped SJSU take an early 17-10 lead by hitting three consecutive outside shots. She finished the game with 14 points.

Leading 38-34 at halftime, the Aztecs went on a 10-2 scoring run to begin the second half. The burst by the Aztecs broke the game open, and the Spartans were never able to overcome the deficit.

The decisive run by the Aztecs was led by Evans and forward Lori Lollis. Lollis complemented Evans' outside game with a gritty performance inside. Lollis made eight of 12 field goal at-

SPARTAN

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tempts from inside the paint. The Spartans were unable to deny her the ball on the low post, and Lollis kept making the shots.

Late in the game, the Spartans made a comeback to come within seven points at 71-64. Guards LaTasha Causey and Jodi Page fueled the comeback by hitting three three-pointers, two by Causey and one by Page. However, the Aztecs' lead was too great and the comeback failed.

Next for SJSU are road games at Long Beach State and UNLV.

Long Beach, 11-4 overall and ranked No. 6, dropped a 105-91 decision to No. 2 Stanford Tuesday night. The 49ers turned in an outstanding performance against the Cardinal, despite the losses of four starters and two-thirds of last year's NCAA leading 89.3 points per game scoring average.

The 49ers are a young team, with 6-4 center Angilique Lee being the lone senior. However, there are plenty of players on the roster with extensive collegiate experience such as junior forwards Penny Moore and Dana Wilkerson.

Moore averaged 6.8 points and 3.8 rebounds last year, while Wilkerson averaged 9.7 points and 3.2 assists per game.

The Spartans were 0-2 against Long Beach last season, suffering losses of 113-72 and 111-59.

UNLV is ranked eighth, but holds the lead in the Big West with an 8-0 record. The Rebels were 27-7 overall last year with a 13-5 league record, good for second place in the Big West.

"We are not going to beat Long Beach and UNLV...they're in the top

10 in the nation," said Krah. "We have to be realistic. Every game we go into, we have to accomplish something. We have to get better. If we take a loss, then we have to learn from it."



Julie Lynn Rogers — Daily staff photographer

Jodi Page moves the ball up court as Fresno State's Simone Srubeck tries to retrieve it. The Spartans lost the Jan. 18 contest 72-57.

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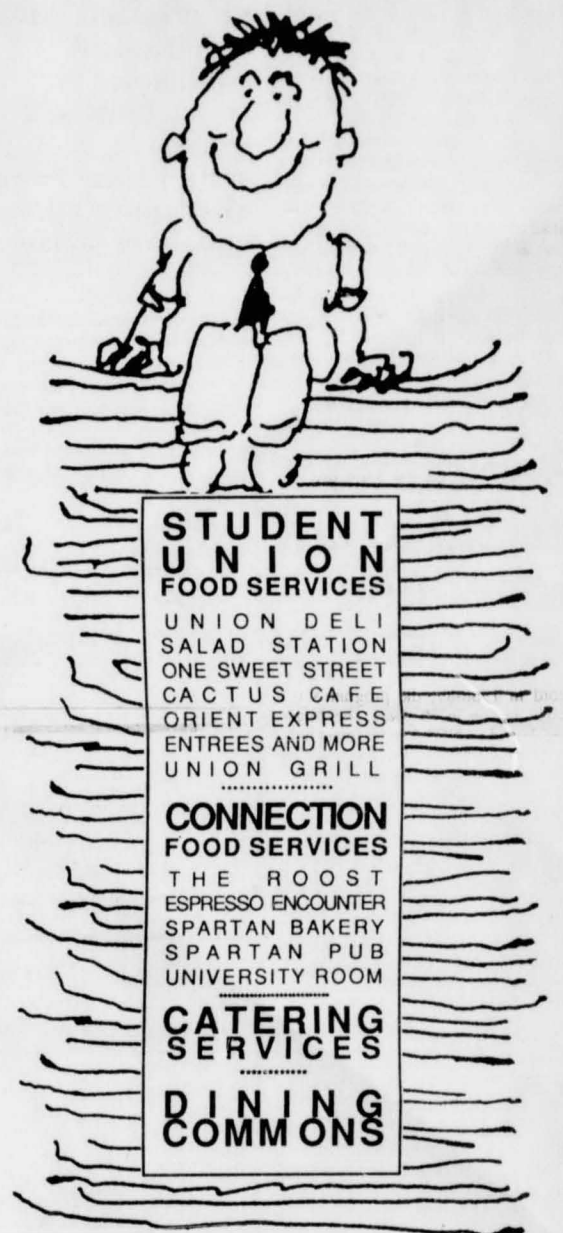
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Court dismisses charges against assemblyman

SACRAMENTO (AP) — Attorney General John Van de Kamp is asking the Legislature to change California's forgery law because an appellate court dismissed the indictment of a state assemblyman on grounds that the current law doesn't apply to political letters.

A three-judge panel of the 3rd District Court ordered unanimously Tuesday the dismissal of a felony

forgery indictment against Orange County Assemblyman John Lewis, saying California's forgery statute applies only to cases in which property or money is at stake.

The 36-year-old Republican described the ruling as a vindication, and repeated his contention that he was singled out for prosecution by the Democratic attorney general.

San Jose computer hackers arrested

Authorities search for ringleader

SAN JOSE (AP) — Two men accused of conspiring to break into an Army computer network and the phone system surrendered and were freed on \$100,000 bonds.

Meantime, the hunt goes on for Kevin Poulsen, a former SRI International computer whiz believed to be the ringleader.

Silicon Valley computer experts Mark K. Lottor, 25, and Robert E. Gilligan, 31, turned themselves over to authorities Tuesday and appeared before U.S. District Court Magistrate Patricia Trumbull.

Gilligan, of San Francisco and Lottor, 25, of Menlo Park did not enter pleas at the brief hearing. Trumbull en-

tered innocent pleas for them and ordered the two to return to court Jan. 31.

Last known to be living in Southern California, Poulsen has not been seen for some time but authorities are continuing to "persevere" in an effort to locate him, assistant U.S. attorney Robert K. Crowe said.

Lottor and Gilligan were represented by San Francisco lawyers Robert Burmeister and William Weiner.

Weiner said after Tuesday's hearing that his client was not a "flight risk" and that Gilligan had made himself available to local, state and federal police during the course of the two-year investigation.

In a 19-count indictment unsealed last

week, Poulsen is alleged to have used burglary tools and fake identification to gain access to Pacific Telephone equipment and manuals; a computer printout pertaining to an FBI probe of ex-Philippine President Ferdinand Marcos and others; and possessing a stolen copy of a classified military document.

Lottor faces five counts and Gilligan six while Poulsen is charged with 16 counts.

Poulsen faces up to 37 years in prison if convicted. The other two suspects face 20 years each if found guilty of the charges against them.

Lottor works for SRI International and Gilligan works for Sun Microsystems of Mountain View.

Poulsen, a former SRI worker who is believed to have fled to Los Angeles

after leaving a job with Sun, was an unindicted co-conspirator in the 1984 computer break-in case at the University of California at Los Angeles.

In that case Poulsen's friend, legendary hacker Ron Austin, was convicted on charges related to the break-in. Authorities said Poulsen used the computer handle of "Dark Dante" at the time.

Federal officials contend the latest computer tampering began in 1985 and started to fall apart in February 1988 when police found telephone equipment belonging to Pacific Bell in a storage locker rented by Poulsen.

"As far as techniques, you can see this started out as a burglary," said FBI Agent William Smith. "That's what we have: burglars who came upon equipment that allowed them to go beyond the common crime of burglary."

Gubernatorial candidates talk crime

SAN FRANCISCO (AP) — Crime was the issue and gubernatorial candidates John Van de Kamp and Pete Wilson did their best to outdo each other at a convention of the California District Attorneys Association.

Each candidate spoke to the group Tuesday, portraying himself as the better crime fighter and attacking his opponent's law enforcement record.

At a news conference later, State Attorney General Van de Kamp, a Democrat, posed with 250 mug shots of criminals he or his office had prosecuted or helped to convict. He called Wilson a "drugstore cowboy" on the crime issue.

"He's never even prosecuted a case or sent someone to Death Row," said Van de Kamp.

Wilson, the Republican U.S. senator from California who is virtually assured of winning his party's nomination for

Wilson said as governor he would propose legislation requiring all challenges to convictions and sentences to be filed within a few months after completion of appellate review.

governor, was surrounded by 15 district attorneys when he spoke with reporters.

During his speech, Wilson accused the attorney general of having been "missing in action" and "unrespon-

sive" during the effort to make "rational" changes to California's criminal justice system over the last decade.

Wilson charged that California has fallen into a "distinct minority of states having dangerously lenient criminal laws," although he said Republican Gov. George Deukmejian was "entirely exempt" from responsibility.

Wilson also accused Van de Kamp of having a conflict of interest on the death penalty, which Van de Kamp privately opposes but has promised to carry out because of voters' demands.

Van de Kamp denounced those charges as "political drivel," calling Wilson's portrayal of him as a "caricature."

Van de Kamp earlier unveiled an initiative for the November ballot that would raise \$1.76 billion over eight years, mostly for city and county law enforcement agencies.

Residents asked to cut water use

SAN FRANCISCO (AP) — San Francisco, the largest water supplier in the Bay area, has been warned it faces "a potentially dry year."

The warning came Tuesday from San Francisco Water Department general manager Arthur Jensen who appeared before the city Public Utilities Commission.

The commission voted to launch a voluntary water conservation program. It also adopted a contingency plan that calls for water rationing if the dry spell continues.

San Francisco has 2.2 million customers in the city, on the Peninsula and in the South Bay area.

The commission received a report showing precipitation at Hetch Hetchy Reservoir in Yosemite National Park at 71 percent of normal. The San Francisco system gets 85 percent of its drinking water from Hetch Hetchy.

The situation is not as bad as last year, when water rationing was widespread in the Bay area, Jensen said, but he added "it is serious enough to take preliminary action."

Officials said details of the contingency program have not been worked out and added they would not be adopted without public hearings.

Jensen said he will put conservation messages in water bills and try to step up other programs that call for saving water.

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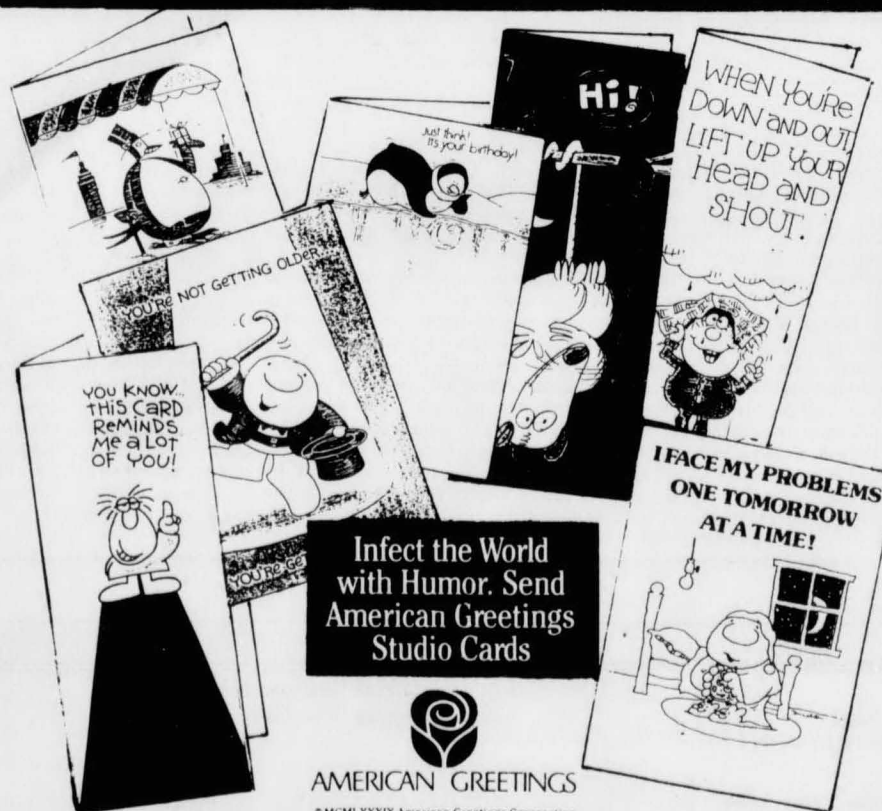
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Computer Bundle Sales on January 31st



924 - 1800

BOOKSTORE HOURS: Jan 25, 1990 - Feb 2

MON-THURS 7:15 a.m. - 9:00 p.m.

FRI 7:15 a.m. - 6:00 p.m.

SAT 10:00 a.m. - 4:00 p.m.

SUN 11:00 a.m. - 4:00 p.m.

SPARTAN BOOKSTORE

•SERVICE IS OUR MAJOR•